UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS, TEXAS 75202-2733

October 10, 2012

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

David C. Keith
Anchor QEA, LLC
614 Magnolia Avenue
Ocean Springs, MS 39564

RE: San Jacinto River Waste Pits Superfund Site,
Pasadena, Harris County, Texas:
Time-Critical Removal Action, TCRA Cap Repair Plan,
CERCLA Docket No. 06-12-10

Dear Mr. Keith:

I received your letter dated September 18, 2012. I disagree with your characterization of several statements in my July 31, 2012, letter, which summarized observations and discussions from my July 24 site visit. However, I understand that your September 18 letter contains the positions of the Respondents McGinnes Industrial Maintenance Corporation and International Paper Company related to the necessity for cap repair on the western berm.

It is EPA's primary concern to ensure the integrity of the site cap, principally by conducting a third-party (U.S. Corps of Engineers) review of the armor cap design and construction. The factual conclusions of this review, as well as any review conducted by Respondents, will help both parties better understand the nature and cause of the problems leading to the cap repair.

I have enclosed several questions for Respondents regarding the armor cap on the western berm for you to answer. The answers you provide will be considered as part of the review.

Thank you for your prompt attention to this matter.

Sincerely yours,

Valmichael Leos
Federal On Scene Coordinator

9347743

Enclosures

In reference to the topography of the existing waste pit area before the removal action, there existed a well defined berm along the western edge of the pit. During the original placement in 2011 of the armor cap material on the western berm:

Question 1- What type of construction equipment was used to place the armor cap material?

Question 2- How heavy was this equipment?

Question 3- How close to the western berm did the equipment have to be in order to effectively place the armor cap material?

Question 4- Did any of the equipment used during placement of the armor cap material along the western berm damage, reshape, create a bulge, or otherwise affect the berm?

Question 5 – Did any activities conducted during the site removal action damage or affect the shape or slope of the western berm?

Question 6- What was the original slope of the armor cap B/C material placed on the western berm? Did the original slope placement contribute to the strength or instability of the western berm?

Question 7- What quality construction quality control documents are available that document that the proper slope was achieved during placement of the armor cap material along the western berm?

Question 8- What quality construction quality control documents are available that document the actual percentage of fines used in the construction did not exceed the minimum design requirements specified for the B/C armor cap material during placement along the western berm?

Question 9- Did the hydrodynamic modeling used to determine the slope and the size and area placement of the armor cap material consider the erosional impacts due to wave action from the San Jactinto River along the western berm?

In reference to the repairs to the armor cap on the western berm performed in 2012:

Question 10 - Why was there considerable erosion along the entire length of the western berm and not along other areas of the armor cap?

Question 11- Was the armor cap C material actually used in the repair readily available in a nearby stockpile for maintenance or was it special ordered to repair and prevent future erosion along the western berm?

In reference to future maintenance and repairs:

Question 12- Is the armor cap gradation A or B/C material "stable" for use in future maintenance of armor cap erosion? If not, why use this size of material in the cap construction?

Question 13- If there are five different types of armor cap material used during the construction, are there five different stockpiles of material readily available for maintenance? If not, why not?